

Maricopa County Policies and Procedures	Subject: Employee Concerns Resolution Program	Number: HR2405 Issue Date: 7/98 Revised: 2/02
Approved CAO: <i>David R. Smith</i> HR: <i>Sue Wybraniec</i>	Initiating Department: Human Resources Department	

I. PURPOSE

Maricopa County is committed to maintaining an open and fair method of resolving employee concerns and answering questions. To this end, all employees are encouraged to informally raise any questions or concerns they have about the terms or conditions of their employment. If informal methods are not satisfactory, the Employee Concerns Resolution Program makes a three-step process available to employees who have a question or concern. Maricopa County is also committed to preventing any retaliation against persons who raise concerns about the terms and conditions of employment .

II. POLICY

- A. Employees are encouraged to raise questions or concerns about the application of applicable Merit Rules, Human Resources Plans, Administrative Personnel Procedures, departmental work rules, and unsafe or unhealthy work environments. Employees should discuss these issues with their immediate supervisor whenever possible, and if possible, the supervisor should work with the employee to resolve the concerns. If the concerns cannot be resolved to the employee's satisfaction by the immediate supervisor, this procedure provides for additional, prompt, review by the appointing authority and the Maricopa County Employee Ombudsman.
- B. The Maricopa County Employee Ombudsman serves, on behalf of the County Administrative Officer, as a check to ensure that departmental actions and decisions are not arbitrary or unreasonable.
- C. An employee may not use the process outlined in this procedure to seek review of decisions or actions for which there is already another available internal review procedure, such as annual evaluation ratings, an action that may be appealed to the Merit Commission (a dismissal, suspension, or involuntary demotion), or to raise a concern about employment discrimination (Administrative Personnel Procedure HR2406: Workplace Professionalism: Avoiding Harassment and Discrimination should be used to raise such concerns). An employee cannot use both HR2405 and HR2406 simultaneously for the same issue. Employees are not required to use either process outlined in this procedure or HR2406 before exercising their rights under state or federal discrimination laws.

III. PROCEDURE

- A. The Employee Concerns Resolution Program consists of three steps:

Step 1: Ordinarily, the place an employee is expected to start in seeking answers to a question or resolving a concern is by an informal discussion with his or her supervisor. If the question or concern cannot be resolved informally, the employee is expected to raise the question or concern with his or her supervisor (the person to whom the employee reports for performance appraisal purposes) within five business days of the event or first knowledge of the event by using the accompanying form. The supervisor is expected to review the employee's question or concern and get back to the employee with a written answer or response within five business days.

Maricopa County also recognizes that in some cases a question or concern may involve an employee's supervisor, and the employee may be reluctant to discuss the situation with that person. If this is the case, an employee may request information or raise a concern with the individual who is assigned to manage the employee's supervisor by using the accompanying form.

Step 2: If the employee is not satisfied with the supervisor's response to Step 1 or the supervisor fails to provide an answer within five business days, the employee may forward his or her concern using the attached form to the appointing authority (Department Director or Elected Official) or designee. The employee must submit the request to his or her appointing authority within ten business days from the day of the employee's receipt of the supervisor's response. It is the responsibility of the appointing authority (Department Director or Elected Official) or designee to investigate the employee's question or concern, discuss it with the employee, and provide a written response to the employee within ten business days.

Step 3: If the employee has taken Step 2 and still is not satisfied with the response that has been received (or a timely response has not been provided to the employee), the employee may address a written request for review to the Maricopa County Employee Ombudsman. Ordinarily, the employee must request the review within ten business days of receiving the response under Step 2. Where appropriate, the Employee Ombudsman will, on behalf of the County Administrative Officer, investigate, review, and discuss the employee's concern with the employee as soon as possible. The Employee Ombudsman will provide a response to the employee, which will be the final decision and resolution of the employee's concern. The Employee Ombudsman's review of a decision by an Elected Official will be limited to employee concerns that relate to compliance with state or federal law.

- B. If sufficient time is available, an employee may be permitted a reasonable amount of paid work time to draft a written statement of his or her concerns and to meet and discuss his or her concerns under Steps 2 and 3. Absent extraordinary circumstances, the reasonable amount of time should not exceed two hours for each step and should not under any circumstance require the use of overtime compensation.
- C. An employee may request an opportunity to meet with the appointing authority (or designee) under Step 2 or the Maricopa County Employee Ombudsman under Step 3. An employee may bring another Maricopa County employee (with the permission of the individual's supervisor) or other individual to the meeting to assist in understanding and resolving the employee's concerns. The co-worker or other individual will be permitted to participate in the meeting only where the individual's input is, in the discretion of the appointing authority or Ombudsman, determined to be productive in facilitating a resolution of the employee's concerns.

IV. PROHIBITION AGAINST RETALIATION

Maricopa County recognizes that not everyone is comfortable presenting a concern or problem to his or her supervisor, but encourages employees to take advantage of the Employee Concerns Resolution Program, and is committed to preventing any retaliation against persons who raise questions about the terms and conditions of their employment. All Maricopa County managers and supervisors at all levels are expected to take the time to answer questions, and work toward the resolution of workplace concerns. Doing so will make an important contribution to the overall performance and growth of our organization.

MARICOPA COUNTY EMPLOYEE CONCERNS RESOLUTION FORM

Date: _____

Addressed to:

() Supervisor/Manager's Name: _____

() Department Director/ Elected Official (or Designee): _____

() Employee Ombudsman

Employee's Name _____ Working Title: _____

Department: _____ Work Phone: _____

Date of the event (or first knowledge of the event): _____

What Happened (Facts):

Date of verbal discussion with supervisor about the event: _____

Supervisor's Response to Verbal Discussion:

Employee's Requested Solution:

cc: Employee Ombudsman (Required)